

III. REMARKS

Claims 1-22 are pending in this application. Claims 1, 10, 15 and 18 have been amended. Claims 15-22 are rejected under 35 USC §101 as allegedly being directed to non-statutory subject matter. Claims 1-22 are rejected under 35 USC §102(b) as allegedly being anticipated by Gupta et al. (US 6226752) (hereinafter referred to as "Gupta"). Applicant respectfully traverses the rejections for the reasons provided below.

Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the claims in a subsequent patent application that claims priority to the instant application.

A. REJECTIONS BASED ON 35 USC §101

In the Office Action, claims 15-17 are rejected under 35 USC §101 alleging Applicant's invention is directed to non-statutory subject matter. Office Action p.6-7

Without conceding the correctness of the Office's interpretation and to facilitate early allowance of the pending claims, claim 15 has been amended to recite "at least one computer." Accordingly, Applicant asserts that the bases for the Office's rejection have been obviated and respectfully request withdrawal of the rejection.

In the Office Action, claims 18-22 are rejected under 35 USC §101 alleging Applicant's invention is directed to non-statutory subject matter. Office Action p.7-8.

Without conceding the correctness of the Office's interpretation and to facilitate early allowance of the pending claims, claims 18-22 were previously amended to recite "computer recordable medium" as recited in the specification.

The Office in rejecting these claims states "Claims 18-22 recite the limitation 'computer-readable medium...' Office Action p.7. This statement is inaccurate and does not properly reflect the amended claims.

Applicant re-asserts that the bases for the Office's rejection have been obviated and respectfully request withdrawal of the rejection.

B. REJECTION OF CLAIMS 1-22 UNDER 35 U.S.C. §102(b)

With regard to the 35 U.S.C. §102(b) rejection over Gupta, Applicant asserts that Gupta does not teach each and every feature of the claimed invention.

Specifically regarding the Office's rejections of claims 1 (and similarly claims 10, 15 and 18): Applicant submits that Gupta fails to teach each and every feature of claim 1 (and similarly claims 10, 15 and 18), as amended.

Claim 1, as amended, recites, *inter alia*, "receiving an original submission of the application data using the data page, wherein the application data is not used for validating a session." Gupta does not teach these features.

Applicant respectfully submits the amendments place the claims in condition for allowance. Applicant's amendment makes clear the "application data" referenced in the claim is not data "used for validating a session." For example, the "application data" referenced in the claim would not include a user ID and password used for validating a session or authenticating a user. To the extent, the Office in rejecting claim 1 interprets

“application data” to include session validation data, the amendment makes clear this is not the case.

Gupta recites a method for “authenticating users.” Gupta Abstract. The entirety of Gupta concerns “authenticating users.” Gupta does not teach the original submission of application data (data not used for validating a session) during a session, ensuring a session is valid, submitting the application data when the session is valid, and, when the session is invalid and a new session is established the application data is submitted without re-entry of that data. Gupta does not include a teaching of application data that has been entered during a session. Gupta does not include a teaching of submitting application data without re-entry of the data when an otherwise invalid session can be made valid.

All of the sections of Gupta cited by the Office discuss “authenticating users.” Thus, the discussion of cookies (see Office Action p.4-6 and Gupta C.5 I.42 – C.6 I.51) is directed towards login data. For example, Gupta states: “By utilizing cookies, a server can authenticate a user based on the cookie (i.e., by reading the name and variable stored in the cookie) and not require a user to reauthenticate itself each time.” To the extent “authenticating users” parallels “session validation,” login data is not included with application data.

For all the above reasons, it is clear that Gupta does not teach each and every feature of Applicant’s invention. Therefore, Applicant submits that claim 1 (and similarly claims 10, 15 and 18) is not anticipated by Gupta.

With respect to the dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the

claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

/David E. Rook/

David E. Rook
Reg. No.: 40,790

Date: October 22, 2008

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)